

Express Mail Label No. EV301223095US
PATENT
Docket No. 297912004300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Norbert HESKE and Thomas HESKE

Serial No.: Not yet assigned

Filing Date: Concurrently herewith

For: BIOPSY DEVICE AND INSERTABLE
BIOPSY NEEDLE MODULE

Examiner: Unknown

Group Art Unit: Unknown

International Application No.:
PCT/EP03/02285

International Filing Date: March 5, 2003

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS PCT Office
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☒ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.


Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 297912004300. However, the Director is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 29, 2004

Respectfully submitted,

By: 
David L. Fehrman
Registration No.: 28,600
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5601

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 297912004	Application Number Not yet Assigned 10/500518
	Applicant Norbert HESKE and Thomas HESKE	
	Filing Date Concurrently herewith	Group Art Unit Not yet assigned
	Mailing Date June 29, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	06/18/1996	5,526,822	F. Burbank et al.			
	2.	11/02/1999	5,976,164	R. Mueller et al.			
	3.	08/02/2001	2001/0011156	F. Viola et al.			
	4.	08/16/2001	2001/014779	P. Lubock et al.			
	5.	11/07/2000	6,142,955	C. Klecher et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES	NO
	6.	10/24/1979	GB 2018601	United Kingdom			X	
	7.	10/15/1992	DE 4041 614	Germany				X
	8.	09/19/1996	WO 96/28097	PCT			X	
	9.	06/18/1998	WO 98/25522	PCT			X	
	10..	01/13/1999	EP 0890 339	EPO			X	
	11.	04/12/2001	DE 100 34 297	Germany				X
	12.	02/07/2002	DE 100 26 303	Germany				X

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

EXAMINER:

1DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.